

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

DAVID MEYERS,)	
)	
Plaintiff,)	
)	
v.)	1:23CV273
)	
MS VALRUS GERNEGEN, <i>et al.</i> ,)	
)	
Defendant(s).)	

ORDER

The Order and Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on July 19, 2023, was served on the parties in this action. (ECF Nos. 8, 9). Plaintiff filed objections to the Recommendation. (ECF No. 10.)

The court has appropriately reviewed the portions of the Magistrate Judge's Recommendation to which objection was made and has made a *de novo* determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Consolidate, (ECF No. 7), is **DENIED** and that this action is **DISMISSED** *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms accompanied by the \$402.00 filing fee.

A judgment dismissing this action will be entered contemporaneously with this Order.

This, the 30th day of August 2023.

/s/ Loretta C. Biggs
United States District Judge